

OGC Has Reviewed

OGC 73-2020

25 October 1973

MEMORANDUM FOR: Director of Strategic Research

STATINTL

SUBJECT : Consultation of [REDACTED]

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1. You requested the opinion of this Office as to whether the employment and Agency consultation of [REDACTED] presented a conflict of interest problem. It is our opinion that there is no conflict of interest.

2. Discussions with [REDACTED] reveal the following:

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a. [REDACTED] is currently an OSR consultant. His employer at the initiation of this consultancy was the [REDACTED] however, he is now on sabbatical leave from [REDACTED]

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b. While on sabbatical leave, [REDACTED] will participate in a strategic economic research study sponsored

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3. Under the provision of [redacted] this Office has reviewed and the Director has approved the use of [redacted] as a consultant when he was an employee of the [redacted]. Thus, the only issue is whether the employment relationship with [redacted] [redacted] which sponsors that relationship, creates a conflict of interest.

4. A conflict of interest may be defined as an encounter between a Government employee's economic interest and his duty as a fiduciary to the public. However, it is not unusual to find individuals, who are employed by an organization under contract or sponsorship with another Government entity, also under some type of contractual arrangement with the Agency. Problems arise, though, when the individual, who is in a consulting capacity, is in a position whereby he could influence a decision in which he has an economic interest. (We assume that there are provisions adequate to insure that [redacted] is not paid by someone else in addition to the Agency for the time that we use him in his consultative capacity.) It is our opinion that [redacted] is now in no better position to influence an Agency decision favorable [redacted] than he was able to influence a decision favorable to [redacted] when he was our consultant and primarily employed there. As there was no legal objection to his employment as a consultant when he was at [redacted] we find no legal objection now.

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Office of General Counsel

cc: C/CPD/OP

OGC:JED:cap

Original - Addressee

✓ - CONSULTANTS

1 - JED Signer

1 - Chrono